

Alabama Board of Podiatry

Functional Analysis & Records Disposition Authority

**Presented to the
State Records Commission
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Table of Contents

Functional and Organizational Analysis of the Alabama Board of Podiatry	
Sources of Information	1-1
Historical Context	1-1
Agency Organization	1-1
Agency Function and Subfunctions	1-1
Promulgating Rules and Regulation	1-1
Licensing	1-2
Enforcing	1-2
Administering Internal Operations	1-2
Organizational Chart	1-3
Analysis of Record Keeping System and Records Appraisal of the Alabama Board of Podiatry	
Agency Record Keeping System	2-1
Records Appraisal	2-1
Temporary Records	2-1
Permanent Records	2-2
Permanent Records List	2-3
Alabama Board of Podiatry Records Disposition Authority	
Explanation of Records Requirements	3-1
Records Disposition Requirements	3-2
Promulgating Rules and Regulations	3-2
Licensing	3-2
Enforcing	3-3
Administering Internal Operations	3-3
Requirement and Recommendations for Implementing the Records Disposition Authority	3-5

Functional and Organizational Analysis of the Alabama Board of Podiatry

Sources of Information

Representatives of the Alabama Board of Podiatry

Code of Alabama, 1975, Sections 34-24-230 through 34-24-276

Code of Alabama, 1975, Sections 20-2-2 through 20-2-50

Code of Alabama, 1975, Section 41-20-3 (Sunset Law)

Code of Alabama 1975, Sections 41-22-1 through 41-22-27 (Administrative Procedures Act)

Alabama Administrative Code, Chapters 730-x-1 through 730-x-5

Alabama Government Manual (1998)

Historical Context

The Alabama Board of Podiatry was established in 1967 by the Legislature. Prior to the establishment of this agency, there was no agency regulating the practice of podiatry.

Agency Organization

The board consists of seven members with one from each U.S. Congressional district of the state. Board members must be practicing podiatrists and have been actively engaged in podiatry for five consecutive years preceding their appointment. They must also be citizens of the United States and at least 25 years old. When a member for any reason becomes ineligible to serve on the board, then a new person, properly qualified, must be appointed by the governor to fill the vacancy and complete the remainder for the term. The board selects from its membership a chairman, a treasurer, a secretary, and employs an administrative secretary. An organizational chart is attached.

Agency Function and Subfunctions

The mandated function of the Alabama Board of Podiatry is to license and regulate the professional practice of podiatrists of Alabama. The board is one of the agencies primarily responsible for performing the Regulatory function of Alabama government. In the performance of its mandated function, the board may engage in the following subfunctions.

- **Promulgating Rules and Regulations.** In accordance with the Administrative Procedures Act (Code of Alabama 1975, Section 41-22-3), the board has the authority to prescribe rules and regulations for certification in and the practice of podiatry. The board also develops the appropriate procedures or techniques for the implementation of its rules

and regulations. This subfunction encompasses activities pertaining to the establishment and promulgation of rules, regulations, and procedures by the board for carrying out its duties and responsibilities.

- **Licensing.** Podiatry is the diagnosis and treatment of the disorders of the human foot. The board is authorized to license podiatrists. Individuals wishing to apply for a license must submit a notarized application and two written statements of character from two currently licensed podiatrists to the board. All applicants must have graduated from a college of podiatry and completed a podiatric residency or preceptorship program. Applicants must pass an examination given by the National Board of Podiatric Examiners. The examination covers the practical, theoretical, and psychological aspects of podiatry including the anatomy of the foot as well as pathology as it applies to podiatry. Applicants must also take and pass a state board designed examination which tests the knowledge of the rules and regulations of the board and the Podiatry Practice Act. Once all the requirements are met, the board licenses the applicant.

Licenses are renewed annually starting on October 1st of each year. Licensees must renew within thirty days or pay a penalty fee of \$300. Licensees are required to complete a twelve-hour continuing education course prior to renewal of licenses.

- **Enforcing.** The board hears and tries charges against any licensed podiatrist for any violation of the Alabama podiatry laws or regulations, as defined in the Code of Alabama 1975, Section 34-24-276. Complaints and/or hearings are handled by the board. A person, convicted of a violation by the board can appeal the decision to the county circuit court.
- **Administering Internal Operations.** A significant portion of the board's work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency.

Managing the Agency: Activities include internal office management activities common to most government agencies such as corresponding and communicating; scheduling; meeting; documenting policy and procedures; reporting; litigating; drafting, promoting, or tracking legislation; publicizing and providing information; managing records; and managing information systems and technology.

Managing Finances: Activities involved in managing finances may include the following: budgeting (preparing and reviewing the budget package, submitting the budget package to the Department of Finance, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with

companies or individuals; bidding for products and services; and assisting in the audit process.

Analysis of Record-Keeping System and Records Appraisal of the Alabama Board of Podiatry

Agency Record-Keeping System

The Alabama Board of Podiatry operates a hybrid system composed of a computer system and a paper record-keeping system.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Alabama Board of Podiatry: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered their active life and be disposed of once all fiscal, legal, and administrative requirements have been met.

- **Licensure Files.** Included in these records are applications and written notifications that applicants were licensed. The application contains important information on the podiatrists. The recommended retention for these records is five years after the license has become inactive.
- **Examination Files.** Before applicants can qualify for a license, they must successfully pass two examinations. Examination questions are designed to test the applicant's competence in podiatry. The examination is currently compiled by a national organization. The board also creates and administers an examination which tests on the rules and regulation of the board and the Podiatry Practice Act. The recommended retention for these records is five years after license has become inactive.
- **Renewal Files.** Renewal Files contain renewals and continuing education evidence. Licenses are renewed annually. Licensees are also required to have twelve hours of continuing education credits. The recommended retention is five years after the end of the year in which the records were created.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Promulgating Rules and Regulations

- **Published Rules and Regulations.** The board publishes a booklet for public distribution. This publication should be retained because it documents all professional rules and procedures governing podiatrists in Alabama. (RDA page 3-2)(**Bibliographic Title: Rules and Regulations**)
- **Meeting Minutes and Orders of the Board.** These records document decisions of the board. These records provide important information and documentation of the board's actions that may not be found elsewhere. (RDA page 3-2) (**Bibliographic Title: Meeting Minutes**)

Licensing:

- Permanent records providing summary documentation of this subfunction are found in the website (roster of licensees) as described in Administering Internal Operations subfunction.

Enforcing:

- This board currently creates no permanent records under this subfunction.

Administering Internal Operations:

- **Annual Reports.** The annual report is submitted to the governor and documents the condition of the agency. (RDA page 3-3) (**Bibliographic Title: Annual Reports**)
- **Website.** The board has a website at www.alabamapodiatryboard.org. Information on the web includes a list of board members, roster of licensees, and rules and regulations. The website also provides a list of podiatrist licensees. The disposition statement calls for retaining a “snap shot” of all website information annually, or as often as significant changes are made to the site. (RDA page 3-3)

Permanent Records List Alabama Board of Podiatry

Promulgating Rules and Regulations

1. Published Rules and Regulations
2. Meeting Minutes and Orders of the Board

Administering Internal Operations

1. Annual Reports
2. Website

Alabama Board of Podiatry Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975, Sections 41-13-5 and 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Alabama Board of Podiatry. The RDA lists records created and maintained by the Alabama Board of Podiatry in carrying out its mandated functions and subfunctions. It establishes retention periods and disposition instructions for those records and provides the legal authority for the Alabama Board of Podiatry to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Records must also be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975, Sections 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Alabama Board of Podiatry's records. Copies of superseded schedules and RDA are no longer valid and may not be used for records disposition.
- The RDA establishes retention and disposition instructions for records regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the Subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.

- Certain other records and records-related materials need not be retained as records under the disposition requirements in this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes, may include, but are not limited to: telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about agency social activities. They may be disposed of without documentation of destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Alabama Board of Podiatry and lists the groups of records created and/or maintained by the agency as a result of activities and transactions performed in carrying out these subfunctions. The agency may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

■ Promulgating Rules and Regulations

PUBLISHED RULES AND REGULATIONS

Disposition: PERMANENT RECORD.

MEETING MINUTES AND ORDERS OF THE BOARD

Disposition: PERMANENT RECORD.

■ Licensing

Licensure Files and Database

Disposition: Temporary Record. Retain 5 years after the license has become inactive.

National Examination Files

Disposition: Temporary Record. Retain 5 years after the license has become inactive.

Board Examination Files

Disposition: Temporary Record. Retain 5 years after the license has become inactive.

Renewal Files

Disposition: Temporary Record. Retain 5 years after the end of the year in which the records were created.

■ **Enforcement**

Investigation Files

Disposition: Temporary Record. Retain 5 years after the license has become inactive.

■ **Administering Internal Operations**

Managing the Agency:

ANNUAL REPORTS

Disposition: PERMANENT RECORD.

WEBSITE

Disposition: PERMANENT RECORD. RETAIN A "SNAP SHOT" OF COMPLETE WEBSITE ANNUALLY OR AS OFTEN AS SIGNIFICANT CHANGES ARE MADE TO THE SITE.

Routine Correspondence

Disposition: Temporary Record. Retain 3 years after the fiscal year in which the records were created.

Administrative Reference Files

Disposition: Temporary Record. Retain for useful life.

Records documenting the implementation of the agency's approved RDA (copies of transmittal forms to Archives or the State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Copy of RDA

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the RDA is superseded.

System documentation (hardware/software manuals and diskettes, warranties, Y2K records)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists anywhere in the agency and all permanent records have been migrated to a new system.

Managing Finances:

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products.

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records of original entry or routine accounting transactions such as journals, registers, and ledgers; and records of funds deposited outside the state treasury, including bank statements, deposit slips, and cancelled checks

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Contractual records established for the purpose of services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

Disposition: Retain in office (Code of Alabama 1975, Sections 41-16-24).

Agency Audit Reports

Disposition: Temporary Record. Retain 6 years after end of the fiscal year in which the records were created.

Requirement and Recommendations for Implementing the Records Disposition Authority

Under the Code of Alabama 1975, Section 41-13-21, “no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without first obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Alabama Board of Podiatry (hereafter referred to as the agency) as stipulated in this document.

One condition of this authorization is that the agency submit an annual Records Disposition Authority (RDA) Implementation Report on agency records management activities, including documentation of records destruction, to the State Records Commission in October of each year. In addition, the agency should make every effort to establish and maintain a quality record-keeping program through the following activities:

- The agency should designate a records liaison, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular implementation of the agency’s approved RDA.
- Permanent records in the agency’s custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis--for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The agency should maintain full documentation of any computerized record-keeping system

it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records' permanent preservation and accessibility.

The staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records maintained in the custody of the agency and inspect records destruction documentation. Government Records Division archivists are available to instruct the agency staff in RDA implementation and otherwise assist the agency in implementing its records management program.

The State Records Commission adopted this records disposition authority on October 23, 2002.

Edwin C. Bridges, Chairman
State Records Commission

Date

Receipt acknowledged:

Gail Clark, Administrative Secretary
Alabama Board of Podiatry

Date

